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THE PRUDENTIAL INSURANCE COMPANY
OF AMERICA

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

Linda DOLAN,

Plaintiff,

v.

THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA, a New Jersey
corporation,

Defendant.

) Case No.: CV 11-1562 (PJH)

)

) **STIPULATION REGARDING**
) **DISCOVERY AND THE STANDARD OF**
) **REVIEW; [PROPOSED] ORDER**
) **APPROVING STIPULATION**

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WHEREAS, on September 1, 2011, the parties participated in a case management conference during which the Court ordered the parties to resolve issues pertaining to the applicable standard of review in 60 days; and

WHEREAS, the parties have met and conferred regarding the standard of review and related issues and have reached an agreement as to the applicable standard of review and scope of discovery;

IT IS THEREFORE STIPULATED AS FOLLOWS:

The parties agree that the Court should apply a *de novo* standard of review to Plaintiff's claim and, if this stipulation is approved by the Court, that no discovery will be conducted. The parties reserve the right to bring evidentiary motions related to the content of the administrative record within the motions deadline already established by the Court.

Dated: November 1, 2011

BOLT · KEENLEY - ATTORNEYS AT LAW

By: /s/ James P. Keenley
James P. Keenley
Attorneys for Plaintiff

Dated: November 1, 2011

MESERVE, MUMPER & HUGHES LLP

By: /s/ Allison Vana
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THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA

~~PROPOSED~~ ORDER APPROVING STIPULATION

The Court, having considered the submissions of the parties and good cause showing, approves the parties' stipulation as to the appropriate standard of review and scope of discovery. The Court will apply a *de novo* standard of review to Plaintiff's claim and there will be no discovery by either party.

IT IS SO ORDERED.

Dated: 11/3/11 _____

